



## United States Department of the Interior

SEP 6 2012

FISH AND WILDLIFE SERVICE

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IN REPLY REFER  
TO:

FWS/RIFO

August 30, 2012

Ms. Genevieve Damico  
Chief, Air Permits Section  
U.S. Environmental Protection Agency  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

Dear Ms. Damico:

This responds to your June 27, 2012 letter with biological evaluation for the Prevention of Significant Deterioration (PSD) permit related to the proposed Hoosier Landfill Gas to Energy project in Ogle County, Illinois. Note that the area used in the analysis extends into Winnebago County, Illinois. You requested our concurrence on your effects determination pursuant to Section 7 of Endangered Species Act. We have reviewed the information provided in your letter including the biological evaluation and other technical materials. The federally listed species considered in the biological evaluation included the Indiana bat (*Myotis sodalis*), eastern prairie fringed orchid (*Plantanthera leucophaea*), and the prairie bush clover (*Lespedeza leptostachya*). We concur with your findings that approval of this PSD permit will not likely adversely affect the federally listed species in the action area as defined in the biological evaluation.

The technical materials included a variety of analyses and calculations that we used to support our concurrence. The analyses included the results of air modeling and contaminant deposition to area soils over a period of 30 years. We have not reviewed the air model methods or results and depend on your agency and the state agency for this technical review and approval. The analyses included a comparison of the predicted maximum concentrations of hazardous air pollutants of concern in the action area soils to ecological toxicity reference values published in the scientific literature. The analysis did not do similar calculations for the water and sediment of stream located beyond the maximum deposition zone to the north and east of the site, but the resulting contaminants of concern would not appreciably accumulate in the bat's food chain so we are not asking for the aquatic system analysis.

Based on these analyses and comparisons, we conclude that local fauna, including federally listed species, will be exposed to contaminants from the proposed future emissions around this facility.

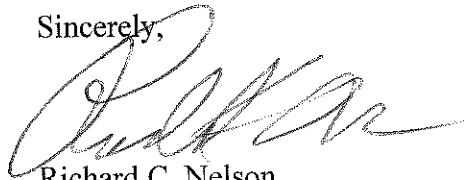
However, this exposure we believe, based on the best available information, will not elicit a detectable negative response from the listed species. In addition, the increment of change anticipated over the next 30 years when added to the baseline condition, which includes background for a new facility, is not likely to negatively affect the survival or reproduction of any federally listed species within the action area.

An analysis of the cumulative effects from emissions at this facility combined with emissions at other facilities outside of the action area is beyond the scope of this Section 7 review and thus, was not evaluated. An analysis of the ecological effects from this facility's gaseous emissions into the atmosphere is beyond the scope of this Section 7 review and thus, was not evaluated.

This precludes the need for further action on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. Should the project be modified or new information indicate endangered species may be affected, consultation should be initiated. This letter provides comments under the authority of and in accordance with provisions of the Endangered Species Act of 1973, as amended (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*)

Thank you for the opportunity to coordinate with you on this matter. Please feel free to call me at extension 201 or Mike Coffey of my staff at extension 206 if you have any questions or wish to discuss this further.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Richard C. Nelson', written over a horizontal line.

Richard C. Nelson  
Field Supervisor